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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.)	CONFIRMATION NO
10/724,463	12/01/2003	Jiazheng Lu	USP2228A-BII	9889
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Raymond Y. Chan			STORMER, RUSSELL D	
Suite 128 108 N. Ynez Av	ve.		ART UNIT	PAPER NUMBER
Monterey Park,	CA 91754	91754		
			DATE MAILED: 02/02/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No. Applicant(s)	(•						
Examiner Russell D. Stormer 3317			Application No.	Applicant(s)				
Russell D. Stormer - The MAILING DATE of this communication appears on the cover sheet with the correspondence address - Period for Repty A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the period for reply specified above is less than thirty (30) days, are reply within the statutory retiremum of thery (20) days will be considered timely. If the period for reply specified above is less than thirty (30) days, are reply within the statutory retiremum or thery (20) days will be considered timely. If the period for reply specified above, the meanine adatory period was page of will expire 35% (30) MONTHS from the enable of this communication. Any reply velowed by the Office later than three months after the mailing date of this communication, even if timely fleed, may reduce any section and the section of the communication of the communication. A presymmetry of the above claim (s) I filed on			10/724,463	LU, JIAZHENG				
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2a) This action is FINAL. 2b)⊠ This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 Claim(s) 1-20 s/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5 Claim(s) is/are allowed. 6 Claim(s) is/are allowed.	Status							
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Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public

use or on sale in this country, more than one year prior to the date of application for patent in the United

States.

2. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by

Japanese document 63-269701.

3. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by

Hayn et al (British 160144).

4. Claims 1-4, 10, and 11 are rejected under 35 U.S.C. 102(b) as being anticipated

by Pikl.

Pikl discloses a wheel comprising walking elements 26 which are connected to

support elements 27 through the guiding elements 16. The guiding elements connect

the toe portions to the heels portions of adjacent walking elements.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stith in view of Hayn et al..

Stith discloses a bicycle which employs walking elements 12 connected in series to form endless treads. The walking elements are not connected to supporting members which extend from the hub.

Hayn et al teaches a wheel assembly comprising a hub, a plurality of support members 5-10, and walking elements pivotally connected to the supports. From this teaching it would have been obvious to those of ordinary skill in the art to substitute walking elements for the endless treads of Stith in order to provide a wheel assembly which is much less cumbersome than the endless treads, and therefor improve the maneuverability of the bicycle.

7. Claims 13-15, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stith in view of Pikl.

Stith discloses a bicycle which employs walking elements 12 connected in series to form endless treads. The walking elements are not connected to supporting members which extend from the hub.

Pikl teaches a wheel assembly comprising a hub, a plurality of support members 27, and walking elements 26 pivotally connected to the support members through the guiding elements 16. From this teaching it would have been obvious to those of ordinary skill in the art to substitute walking elements such as that taught by Pikl for the endless treads of Stith in order to provide a wheel assembly which is much less

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cumbersome than the endless treads, and allow the bicycle to overcome obstacles as taught by Pikl.

Allowable Subject Matter

8. Claims 7-9, 12, 16, 17, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references show other walking wheels and bicycles.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Russell D. Stormer whose telephone number is (703) 308-3768. The examiner can normally be reached on Monday through Friday, 9 AM to 4 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joe Morano can be reached on (703) 308-0230. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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1/28/05

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PRIMARY EXAMINER 28